

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SANTIAGO ORTUNO-PEREZ,

Petitioner,

v.

ICE FIELD OFFICE DIRECTOR,

Respondent.

CASE NO. 2:23-CV-344-BHS-DWC

ORDER FOR SERVICE AND
STATUS REPORT, § 2241 PETITION,
AND DENYING AS MOOT
PETITIONER'S MOTION TO
PROCEED *IN FORMA PAUPERIS*

Petitioner, who is proceeding *pro se*, has filed a 28 U.S.C. § 2241 immigration habeas petition. Having reviewed the petition, the Court ORDERS:

(1) If not previously accomplished, electronic posting of this Order and petitioner's § 2241 habeas petition shall effect service upon the United States Attorney of the petition and all supporting documents. Service upon the United States Attorney is deemed to be service upon the named respondent(s).

(2) **Within 30 days of the date this Order is posted**, respondent(s) shall show cause why a writ of habeas corpus should not be granted by filing a return as provided in 28 U.S.C. § 2243. As a part of such return, respondent(s) shall submit a memorandum of authorities in support of their position, and should state whether an evidentiary hearing is necessary.

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Respondent(s) shall file the return with the Clerk of the Court and shall serve a copy upon petitioner.

(3) The return will be treated in accordance with LCR 7. Accordingly, on the face of the return, respondent(s) shall note it for consideration on the fourth Friday after it is filed, and the Clerk shall note the return accordingly. Petitioner may file and serve a response not later than the Monday immediately preceding the Friday appointed for consideration of the matter, and respondent(s) may file and serve a reply brief not later than the Friday designated for consideration of the matter.

(4) If petitioner's custody status changes at any point during this litigation, **respondent(s) shall file a status update with the Court as soon as possible and no later than 14 days after the change.**

(5) Petitioner has paid the filing fee. Dkt. 1. Accordingly, petitioner's motion to proceed *in forma pauperis*, Dkt. 1-1 is denied as moot.

The Clerk is directed to send copies of this Order to petitioner and to the Honorable Benjamin H. Settle.

Dated this 16th day of March, 2023.



David W. Christel
Chief United States Magistrate Judge